

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RAY A. PETERSON,

Plaintiff,

v.

JUDGE RICHARD C. NIESS,

Defendant.

ORDER

12-cv-150-bbc

This is a civil action filed by plaintiff Ray A. Peterson who is proceeding pro se. Plaintiff has paid the \$350 fee for filing this case.

The next step is for plaintiff to serve his complaint on the defendant. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving the case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendants well before the deadline for doing so established in Rule 4.

To help plaintiff understand the procedure for serving a complaint, I am enclosing with this order copies of a document titled "Procedure for Serving a Complaint on Individuals in a Federal Lawsuit." Pursuant to Wis. Stat. § 39.07, plaintiff should serve defendant Judge Richard C. Niess according to the procedure for serving an individual in a federal lawsuit. In addition, I am enclosing to plaintiff an extra copy of his complaint and the forms he will need to send to the defendant in accordance with the procedures set out in Option 1 of the memorandum.

ORDER

IT IS ORDERED that plaintiff serve his complaint on the defendant promptly. He should file proof of service of his complaint as soon as he has served the defendant. ("Proof of

service” is explained in the attachments.) By May 15, 2012, plaintiff is to file proof of service of his complaint on the defendant or tell the court why he cannot do so. If he does not file the proof of service or explain why he could not serve the defendant, I will order him to explain why his case should not be dismissed for lack of prosecution.

Entered this 16th day of March, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge